

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YVETTE RENEE CALVIN,

Plaintiff,

v.

HALLCON CORPORATION,

Defendant.

Case No. [24-cv-08728-RS](#)


**ORDER VACATING DISMISSAL AND
DEEMING AMENDED COMPLAINT
TIMELY FILED**

Defendant's motion to dismiss the complaint in this action was granted on January 21, 2025, and plaintiff was given a deadline of February 28, 2025, by which to file any amended complaint. As of March 6, 2025, no further filing by plaintiff appeared in the docket, with the result that an order entered dismissing this action.

As it turns out, a document entitled "Motion to Amend" was received from plaintiff by the February 28th deadline, but not entered into the docket until March 7, 2025. Moreover, although labeled as a motion, the document effectively serves as the amended complaint plaintiff was previously given leave to file. Accordingly, the prior dismissal is vacated. Docket No. 21 is deemed to be the operative amended complaint in this action. Defendant's time to respond to the amended complaint shall run from the date of this order.

IT IS SO ORDERED.

Dated: March 10, 2025



RICHARD SEEBORG
Chief United States District Judge

United States District Court
Northern District of California